

city, as well as of the trustees of Harris County Independent School District No. 25, and as well as the present school board; conferring upon said district the power of eminent domain, and the power to sell, exchange and lease the property thereof; to order elections within said district for the issuance of bonds and for the levy of taxes; and providing for the assumption against the City of Houston of all outstanding school bonds and school refunding bonds, and of all outstanding bonds of a like kind issued by Harris County Independent School District Number 25, and providing for the payment of interest and the creation of a sinking fund for the liquidation of said bonds, as well as any other bonds which may hereafter be voted; to adopt textbooks; to take the school census; for the removal from office of any member of said board; giving certain officers of said board authority to administer oaths; and providing for a corporate seal, and giving said district through its Board of Education power to manage and control public free schools within said district, and to do all things authorized by this Act; repealing Section 14, Chapter 17, of the Local and Special Laws of the Twenty-ninth Legislature, passed at the Regular and First Called Session thereof, incorporating the City of Houston into an independent school district, said Act having been approved on March 18, 1905, and also repealing all Special and General Laws in conflict with the provisions of this Act, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 382, A bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending

the right of condemnation to certain corporations, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

WITT, Chairman.

THIRTY-FIFTH DAY.

(Continued.)

(Wednesday, February 28, 1923.)

The Senate met at 10 o'clock a. m. and was called to order by Lieutenant Governor T. W. Davidson.

Bills and Resolutions.

By Senator Dudley:

S. B. No. 409, A bill to be entitled "An Act granting permission to J. J. Kilpatrick, Jr., to bring suit against the State of Texas in the District Court of Presidio County, Texas, for the actual expenses claimed to be due said J. J. Kilpatrick, Jr., in the preparation and planting of 110 acres of cotton at Pilarez, Presidio County, Texas, prior to the proclamation of the Governor, April 9, 1919, making Presidio and Brewster a non-cotton zone."

Read first time and referred to Committee on Public Debts, Claims, and Accounts.

By Senator Wood, by request:

S. B. No. 410, A bill to be entitled "An Act amending Section 124a of Chapter 124 of the General Laws of the Regular Session of the Twenty-ninth Legislature, page 296, so as to make it a felony to violate said section, being upon the subject of preventing fraud in teachers' examinations; and declaring an emergency."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senator McMillin:

S. B. No. 411, A bill to be entitled "An Act taking certain property from Common School District No. 49 of Grayson County, commonly known as Jernigan School District and attaching the same to and making it part of Common School District No. 50 of

Grayson County, commonly known as Pink Hill School District; providing that the County Board of School Trustees shall have the same authority with respect to this property as though the same had been added to said Common School District No. 50 by a lawful act of the said trustees; and providing for an election to adjust the property thus added to said district as to taxes which may be now levied upon said Common School District No. 50 for local maintenance purposes, and for an assumption by said Common School District No. 50 of pro rata of bonds issued by, and the pro rata taxes assessable against said added property on account of an outstanding bond issue existing against said Common School District No. 49; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Pollard:

S. B. No. 412, A bill to be entitled "An Act to amend Chapter Eighteen, Special Laws, Thirty-seventh Legislature First Called Session, in incorporating the Fruitvale Independent School District in Van Zant County, Texas, providing for the maintenance of the elementary schools in said district and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Floyd:

S. B. No. 413, A bill to be entitled "An Act to amend Article 376 of Chapter 6, Title 8, of the Penal Code of the State of Texas, 1911, by adding thereto a provision permitting majority of board of trustees of independent school districts to select as depository of such independent school district a bank of which not more than two members of such board of trustees are officers or stockholders; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Cousins:

S. B. No. 414, A bill to be entitled "An Act to provide for prospecting and developing, mining and marketing natural oil and gas within and upon the lands owned by the State of Texas, and held in the name of the Board of Prison Commissioners."

Read first time and referred to Committee on Civil Jurisprudence.

S. B. No. 40 on Engrossment.

The Chair laid before the Senate as pending business on its passage to engrossment, S. B. No. 40, regulating the practice of professional nursing in Texas, which was under consideration at the time the Senate recessed on yesterday.

Senator Davis offered the following amendment to the bill:

Amend S. B. No. 40 as amended, page 9, by striking out Section 19.

Senator Poilard moved the previous question on the amendment and the passage of the bill to engrossment, and the motion was not seconded.

Question recurred on the amendment by Senator Davis.

Yeas and nays were demanded and the amendment was lost by the following vote:

Yeas—12.

Bowers.	Floyd.
Clark.	McMillin.
Cousins.	Parr.
Davis.	Pollard.
Doyle.	Rice.
Fairchild.	Woods.

Nays—13.

The Chair.	Pidgeway.
Raugh.	Stuart.
Bledsoe.	Thomas.
Burkett.	Turner.
Darwin.	Witt.
Dudley.	Wood.
Holbrook.	

Present—Not Voting.

Strong.

Absent.

Lewis.	Wirtz.
Watts.	

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

Senator McMillin offered the following amendments to the bill:

Amend S. B. No. 40, page 7, line 26, by striking out after the word "examiners," beginning with the word "shall" down to and including the word "act," line 27; and insert

in lieu thereof, "may make complaint in a court of competent jurisdiction."

Amend S. B. No. 40 by striking out on page 8, line 7, beginning with the word "he" down to and including the word "court" in line 13.

Amend S. B. No. 40 by striking out the word "thirty" and insert instead the word, "ninety," line 1, page 8.

Amend S. B. No. 40, page 8, line 6, by striking out the word, "Board," and insert the word, "Court."

The amendments were adopted severally.

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 40, on pages 6 and 7, by striking out all of Sec. 14.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—11.

Bowers.	Floyd.
Clark.	Parr.
Cousins.	Pollard.
Davis.	Wirtz.
Doyle.	Woods.
Fairchild	

Nays—14.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Stuart.
Darwin.	Thomas.
Dudley.	Turner.
Holbrook.	Watts.
McMillin.	Wood.

Present—Not Voting.
Strong.

Absent.

Lewis. Witt.

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 40 by striking out all after the word "hire" in line 30, page 8, and lines 31 and 32.

Senator Dudley moved the previous question on the amendment and the passage of the bill to engrossment.

Question: Shall the main question be now put?

Yeas and nays were demanded, and the main question was ordered by the following vote:

Yeas—14.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Darwin.	Stuart.
Dudley.	Thomas.
Holbrook.	Turner.
McMillin.	Witt.
Murphy.	Wood.

Nays—12.

Bowers.	Fairchild.
Burkett.	Floyd.
Clark.	Parr.
Cousins.	Pollard.
Davis.	Wirtz.
Doyle.	Woods.

Present—Not Voting.

Strong.

Absent.

Lewis. Watts.

Absent—Excused.

Bailey. Rogers.

Question recurred on the amendment by Senator Clark.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—12.

Bowers.	McMillin.
Clark.	Parr.
Cousins.	Rice.
Davis.	Strong.
Doyle.	Wirtz.
Fairchild.	Woods.

Nays—15.

Baugh.	Ridgeway.
Bledsoe.	Stuart.
Burkett.	Thomas.
Darwin.	Turner.
Dudley.	Watts.
Floyd.	Witt.
Holbrook.	Wood.
Pollard.	

Absent.

Lewis.

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

Question then recurred on the passage of the bill to engrossment.

Yeas and nays were demanded, and S. B. No. 40 was passed to engrossment by the following vote:

Yeas—14.

The Chair.	Ridgeway.
Baugh.	Stuart.
Bledsoe	Thomas.
Burkett.	Turner.
Darwin.	Watts.
Dudley.	Witt.
Holbrook.	Wood.

Nays—13.

Bowers.	McMillin.
Clark.	Parr.
Cousins.	Pollard.
Davis.	Rice.
Doyle.	Wirtz.
Fairchild.	Woods.
Floyd.	

Present—Not Voting.

Strong.

Absent.

Lewis.

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Murphy (present), who would vote yea; with Senator Bailey (absent), who would vote nay.

Report of Committee on Confederate Home.

By Senator Doyle:

Austin, Texas, Feb. 28, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee, appointed to examine the evidence adduced by the Committee appointed by the Governor soon after the adjournment of the Special Session of 1921, as to matters concerning the Confederate Home, which Committee reported to His Excellency on October 7, 1921, and report our findings to the Senate, beg leave to report that we have carefully examined said evidence, the findings of said Committee, and also read the rules prepared for the government of said Home, and after conferring with the Board of Control conclude as follows:

(1) That the Board of Control has full power over the Home, its inmates and officials, and are now preparing a new set of rules for the govern-

ment of the Home, which rules are printed in large letters on card boards which will be distributed throughout the Home.

(2) That the Board of Control will hear complaints made by the inmates and will also hear complaints made by the Superintendent, if any, and render final judgment thereon.

(3) That we further conclude that all the papers and the evidence reported to the Governor by the Committee on October 1921, be turned over to the said Board of Control, and that we be discharged from further consideration of the matters for which we were appointed.

DOYLE.

TURNER.

WATTS.

The report was adopted.

Executive Session—Time Set.

Senator Murphy moved that the Senate go into executive session at 11:55 a. m. today, for the purpose of considering the nomination by the Governor of George S. King, as a member of the State Rate Making Board. The motion prevailed.

S. B. No. 197 on Passage to Third Reading.

Senator Witt called up S. B. No. 197, relating to creating Tenth Supreme Judicial District, which was read the second time on February 22, and laid on the table subject to call.

The Chair laid the bill before the Senate, with amendment by Senator Witt pending.

Senator Witt withdrew the pending amendment, and offered the following amendments to the bill:

(1)

Amend S. B. No. 197 by striking the counties of Milam and Lee from Subdivision 10 of Section 1, and adding same in Subdivision 3; and by striking the counties of Navarro and Henderson from said Subdivision 10 and adding same in Subdivision 5; and by striking from said Subdivision 10 the counties of Eastland, Comanche and Hood and add same to Subdivision 2; and by striking the counties of Burleson and Grimes from said Subdivision 10 and adding to Subdivision 1; and by striking Madison from Subdivision 1 and inserting in Subdivision 10.

(2)

Amend S. B. No. 197 by inserting before the last section, a new section to be numbered Section 4, and numbering the last Section 5, the inserted section to read as follows:

Sec. 4. Provided any chief justice or associate justice of any existing court of civil appeals whose residence is now in any county by which this Act is taken out of said district, shall continue to hold office until the expiration of his present term, provided that he shall move into the district of which he is judge as constituted by this Act within four months after this Act takes effect.

(3)

Amend S. B. No. 197, page 1, line 18, by striking out the word Tenth and substituting the word Ninth.

The amendments were adopted severally.

Senator Murphy made the point of order that Senate Bill No. 197 could not be called from the table while bills on third reading were on the calendar undisposed of.

The Chair overruled the point of order and held that the practice of laying bills on the table subject to call was a matter growing out of a custom in the Senate, and that the practice had been to permit the bill laid on the table to be called up when nothing else was pending before the Senate or on special order.

Senator Murphy offered the following amendment to the bill:

Amend S. B. No. 197, page 4, by adding a new section to be numbered as Section 4a, to read as follows:

Subdivision One of Article 1586 of the Revised Civil Statutes of the State of Texas, 1911, shall read as follows:

Article 1586. The courts of civil appeals shall be held at the following places respectively: One of the courts of civil appeals as established to be held in the First Supreme Judicial District in the city of Houston in the county of Harris, provided the county of Harris shall furnish free of charge and all rent to said court to the State of Texas for the use of the court of civil appeals, a court room.

Senator Pollard offered the following substitute for the amendment:

Amend S. B. No. 197 by striking out the words beginning with the word "The" on line 24, page 3, of the bill, and the following words down to and including the word "term" on lines 25 and 26 of page 3 of the bill, and

substituting in lieu thereof, "The courts of civil appeals for the ten supreme judicial districts of Texas shall be located as follows: First Supreme Judicial District at Houston; Second Supreme Judicial District at Decatur; Third Supreme Judicial District at Temple; Fourth Supreme Judicial District at Cuero; Fifth Supreme Judicial District at McKinney; Sixth Supreme Judicial District at Longview; Seventh Supreme Judicial District at Lubbock; Eighth Supreme Judicial District at Abilene; Ninth Supreme Judicial District at Hemphill; and the Tenth Supreme Judicial District at Brownwood; provided that the term," and by striking out the word "Waco" and substituting therefor the word "Brownwood."

Senator Witt moved to table the substitute.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18.

Baugh.	McMillin.
Bledsoe.	Parr.
Burkett.	Rice.
Darwin.	Ridgeway.
Davis.	Turner.
Doyle.	Wirtz.
Dudley.	Witt.
Floyd.	Wood.
Holbrook.	Woods.

Nays—7.

Bowers.	Pollard.
Clark.	Strong.
Fairchild.	Thomas.
Murphy.	

Present—Not Voting.

Cousins.	Watts.
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Absent.

Lewis.	Stuart.
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Absent—Excused.

Bailey.	Rogers.
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(Senator Dudley in the Chair.)

Question: Shall the amendment by Senator Murphy be adopted?

Executive Session.

The Chair here announced that the time set by the Senate, 11:55 a. m., for consideration of the nomination of Geo.

S. King, as a member of the State Rate Making Board, by the Governor, had arrived.

The Senate then resolved itself into executive session.

In the Senate.

In executive session the confirmation of the following appointment was reported to the Journal Clerk by the Secretary:

To be a member of the State Rate Making Board: Geo. S. King of Houston, Texas.

Recess.

On motion of Senator Witt, the Senate at 10:05 p. m. recessed until 2 p. m. today.

Afternoon Session.

The Senate met at 2 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

S. B. No. 197 on Engrossment.

The Senate resumed consideration of pending business, the same being S. B. No. 197 on its passage to engrossment, with amendment by Senator Murphy pending.

Yeas and nays were demanded, and the amendment was passed by the following vote:

Yeas—16.

Baugh.	Murphy.
Bowers.	Parr.
Clark.	Pollard.
Darwin.	Rice.
Davis.	Ridgeway.
Doyle.	Stuart.
Holbrook.	Wirtz.
McMillin.	Woods.

Nays—10.

Bledsoe.	Strong.
Burkett.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wood.

Present—Not Voting.

Lewis.	Witt.
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Absent.

Cousins.	Absent—Excused.
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Bailey.	Rogers.
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Senator Witt asked unanimous consent to change an amendment offered by himself, which was on this morning adopted on S. B. No. 197, by transferring Erath County from the Tenth to the Second District.

There was no objection offered, and it was so ordered.

Senator Holbrook moved to reconsider the vote by which the amendment by Senator Murphy was offered.

Senator Darwin moved the previous question on the motion to reconsider, and the passage of the bill to engrossment.

Question: Shall the main question be now put?

Yeas and nays were demanded, and the Senate refused to order the previous question, by the following vote:

Yeas—9.

Darwin.	Strong.
Doyle.	Turner.
Dudley.	Wirtz.
Floyd.	Wood.
Ridgeway.	

Nays—16.

Baugh.	Lewis.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Davis.	Stuart.
Fairchild.	Watts.
Holbrook.	Woods.

Present—Not Voting.

McMillin.	Witt.
Thomas.	

Absent.

Cousins.	Absent—Excused.
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Bailey.	Rogers.
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Question then recurred on the question to reconsider the vote by which the amendment by Senator Murphy was adopted.

Senator Murphy moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—11.

Baugh.	Parr.
Bowers.	Pollard.
Clark.	Ridgeway.
Davis.	Stuart.
Doyle.	Wirtz.
Murphy.	

Nays—12.

The Chair.	McMillin.
Bledsoe.	Rice.
Burkett.	Strong.
Dudley.	Turner.
Floyd.	Watts.
Holbrook.	Wood.

Present—Not Voting.

Darwin.	Witt.
Lewis.	Woods.

Absent.

Cousins.	Thomas.
Fairchild.	

Absent—Excused.

Bailey.	Rogers.
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Question recurring on the motion to reconsider the vote by which the amendment by Senator Murphy was adopted, yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—10.

Bledsoe.	Rice.
Burkett.	Strong.
Dudley.	Turner.
Floyd.	Watts.
Holbrook.	Wood.

Nays—11.

Baugh.	Parr.
Bowers.	Pollard.
Clark.	Ridgeway.
Davis.	Stuart.
Doyle.	Wirtz.
Murphy.	

Present—Not Voting.

Darwin.	Witt.
Lewis.	Woods.

Absent.

Cousins.	McMillin.
Fairchild.	Thomas.

Absent—Excused.

Bailey.	Rogers.
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Senator Pollard offered the following amendment to the bill:

Amend S. B. No. 197 by adding to page 3, line 2, by inserting after Sec. 3, that the Court of Civil Appeals for the Sixth Supreme Judicial District shall hold its sessions in the city of Tyler in the county of Smith.

Senator Darwin moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—15.

Bledsoe.	McMillin.
Clark.	Parr.
Darwin.	Rice.
Davis.	Ridgeway.
Doyle.	Stuart.
Dudley.	Turner.
Floyd.	Wood.
Lewis.	

Nays—11.

Baugh.	Strong.
Bowers.	Thomas.
Fairchild.	Watts.
Holbrook.	Wirtz.
Murphy.	Woods.
Pollard.	

Present—Not Voting.

Burkett.	Witt.
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Absent.

Cousins.

Absent—Excused.

Bailey.	Rogers.
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Senator Holbrook moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone was lost by the following vote:

Yeas—4.

Holbrook.	Watts.
Thomas.	Wirtz.

Nays—23.

Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Turner.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
McMillin.	

Present—Not Voting.

Lewis.

Absent.

Cousins.

Absent—Excused.

Bailey.	Rogers.
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Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 197, page 3, by adding after sub-section (10), another sub-section, as follows:

(11) The following counties shall compose the Eleventh Supreme Judicial District: Baylor, Knox, Stonewall, Haskell, Throckmorton, Stephens, Shakelford, Jones, Mitchell, Nolan, Taylor, Callahan, Eastland, Dawson, Howard, Scurry, Fisher, Comanche, Erath, Palo Pinto, Borden and Brown.

On motion of Senator Witt, the amendment was tabled.

Senator Burkett moved to reconsider the vote by which the amendment was tabled.

Yeas and nays were demanded, and the motion to reconsider was lost by the following vote:

Yeas—13.

Baugh.	Strong.
Bowers.	Stuart.
Burkett.	Thomas.
Cousins.	Watts.
Fairchild.	Wirtz.
Holbrook.	Wood.
Ridgeway.	

Nays—16.

Bledsoe.	McMillin.
Clark.	Murphy.
Darwin.	Parr.
Davis.	Pollard.
Doyle.	Rice.
Dudley.	Turner.
Floyd.	Witt.
Lewis.	Woods.

Absent—Excused.

Bailey.	Rogers.
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Senator Holbrook offered the following amendment to the bill:

Amend S. B. No. 197, by striking out Sec. 4, page 4.

Senator Clark moved the previous question on the amendment and the passage of the bill to engrossment, and the main question was ordered.

The amendment was lost.

S. B. No. 197 was then passed to engrossment.

S. B. No. 198 on Passage to Third Reading.

Senator Darwin called up S. B. No. 198, relating to motor busses, which was read the second time on February 27 and laid on the table subject to call.

The Chair laid the bill before the Senate, and it was passed to engrossment.

S. B. No. 198 on Third Reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 198 was put upon its third reading and final passage by the following vote:

Yeas—28.

Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Present—Not Voting.

Baugh.

Absent—Excused.

Bailey.	Rogers.
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The Chair then laid S. B. No. 198 before the Senate on its third reading and final passage.

The bill was read third time and passed.

(Senator Dudley in the Chair.)

S. B. No. 160 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

S. B. No. 160, A bill to be entitled "An Act providing for the execution of convicts, condemned to death, by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this Act; repealing certain statutes, and all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—19.

Bowers.	Murphy.
Burkett.	Pollard.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Woods.
Holbrook.	

Nays—8.

Baugh.	Parr.
Bledsoe.	Rice.
Cousins.	Watts.
McMillin.	Wood.

Absent.

Ridgeway.

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Bailey (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

S. B. No. 244 on Second Reading.

On motion of Senator Burkett, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 244, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts, for the purpose of constituting and organizing courts of civil appeals therein; creating the Tenth Supreme Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the judges of said Tenth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Tenth Supreme Judicial District of Texas; and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 244 by striking out all below the enacting clause and inserting the following:

Section 1. The State of Texas shall be, and is hereby divided into eleven supreme judicial districts, for the pur-

pose of constituting and organizing courts of civil appeals therein, respectively:

1. The following counties shall compose the First Supreme Judicial District: Houston, Madison, Walker, Harris, Grimes, Washington, Waller, Fort Bend, Brazoria, Matagorda, Wharton, Colorado, Austin, Fayette, Lavaca, Jackson, Anderson, Chambers, Brazos, Leon, Burleson, DeWitt, Galveston and Trinity.

2. The following counties shall compose the Second Supreme Judicial District: Wichita, Cooke, Montague, Clay, Archer, Young, Jack, Wise, Denton, Tarrant, Parker, Bosque, Hood, Somervell, and Johnson.

3. The following counties shall compose the Third Supreme Judicial District: Coleman, Brown, Mills, Hamilton, Coryell, Bell, Lampasas, San Saba, McCulloch, Concho, Llano, Burnet, Williamson, Milam, Lee, Bastrop, Travis, Blanco, Hays, Comal, Caldwell, Sterling, Coke, Runnels, Tom Green, Irion, Schleicher, Crockett, Robertson, McLennan, and Falls.

4. The following counties shall compose the Fourth Supreme Judicial District: Val Verde, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bandera, Uvalde, Zavalla, Dimmit, Webb, La Salle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Gillespie, Mason, Guadalupe, Wilson, Live Oak, Zapata, Bee, Gonzales, Karnes, Calhoun, Victoria, Goliad, Refugio, San Patricio, Aransas, Nueces, Hidalgo, Cameron, Starr, Jim Hogg, Real, Brooks, Jim Wells, Kleberg, Kenedy, and Willacy.

5. The following counties shall compose the Fifth Supreme Judicial District: Grayson, Collin, Dallas, Rockwall, Ellis, Navarro, Kaufman, Henderson, Van Zandt, Rains, Hunt, Hill, Limestone, Freestone, Wood, and Delta.

6. The following counties shall compose the Sixth Supreme Judicial District: Lamar, Red River, Bowie, Hopkins, Franklin, Titus, Morris, Cass, Marion, Camp, Fannin, Cherokee, Gregg, Harrison, Smith, Upshur, and Rusk.

7. The following counties shall compose the Seventh Supreme Judicial District: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randell, Armstrong, Donley, Collingsworth, Parmer, Castro,

Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Foard, Hardeman, Wilbarger, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Dickens, Kent, and King.

8. The following counties shall compose the Eighth Supreme Judicial District: Gaines, Andrews, Martin, Loving, Winkler, Midland, Glasscock, Reeves, Ward, Crane, Upton, Reagan, Terrell, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Ector, Culberson, and Hudspeth.

9. The following counties shall compose the Ninth Supreme Judicial District: Shelby, Panola, Nacogdoches, Angelina, San Jacinto, Montgomery, Liberty, Jefferson, Orange, Hardin, Newton, Jasper, Tyler, Polk, Sabine, and San Augustine.

10. McLennan, Coryell, Falls, Robertson, Bell, Hamilton, Limestone, Hill, Freestone, Madison, Bosque, Brazos, and Leon.

11. The following counties shall compose the Tenth Supreme Judicial District: Baylor, Knox, Stonewall, Haskell, Throckmorton, Stephens, Shackelford, Jones, Mitchell, Nolan, Taylor, Callahan, Eastland, Dawson, Howard, Scurry, Fisher, Comanche, Erath, Palo Pinto, Borden, and Brown.

Sec. 2. Within thirty days after the passage of this Act, the Governor shall, by and with the consent of the Senate, if in session, appoint one chief justice and two associate justices, for the Tenth Supreme Judicial District who shall each reside in the territorial limits of the Tenth Supreme Judicial District, and who shall possess the qualifications now required by law, who shall constitute the court of civil appeals within and for the Tenth Supreme Judicial District, and who shall hold office thereafter until the next general election in 1924, and who shall thereafter be elected and qualify as provided and required by Article 1581 of the 1911 Revised Statutes of Texas.

Sec. 3. The court of civil appeals for the Tenth Supreme Judicial District shall hold its sessions in the city of Eastland in the county of Eastland and its term shall commence on the first Monday in October of each year and shall continue in session until the first Monday in July of each succeeding year, provided, however, that said court may commence its first session immediately upon the appointment and qualification of the judges thereof and the organization of the court; and,

provided further, said court shall be located at Eastland, Eastland County, Texas; the commissioners' court of said county, or the citizens thereof, shall furnish, provide and equip a suitable room or rooms for said court and the members thereof, without cost or expense to the State.

Sec. 4. The crowded condition of the docket of the Supreme Judicial Districts of Texas, and the unprecedented increase in litigation in the counties composing the Tenth Supreme Judicial District, and the long distance intervening from said counties to any court of civil appeals in this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended; and the said rule be, and the same is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Burkett, the bill was laid on the table subject to call.

S. B. No. 300 on Third Reading.

On motion of Senator Watts, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 300, A bill to be entitled "An Act providing the manner in which notice may be given by a party to a proceeding before any commission, board or other administrative or quasi-judicial agency in this State, that he will not abide by, or that he appeals or intends to appeal from, the final order, ruling or decision of such commission, board or other agency; providing that this Act shall be cumulative of other laws specifying the manner in which any such notice may be given; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Chair laid S. B. No. 300 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Baugh.	Cousins.
Bledsoe.	Darwin.
Bowers.	Davis.
Burkett.	Doyle.
Clark.	Dudley.

Fairchild.	Strong.
Floyd.	Stuart.
Holbrook	Thomas.
Lewis.	Turner.
McMillin.	Watts.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Rice.	Woods.

Absent.

Ridgeway.

Absent—Excused.

Bailey.

Rogers.

S. B. No. 391 on Second Reading.

On motion of Senator Wirtz, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 391, A bill to be entitled "An Act to prohibit private corporations, persons, cities, towns or other public corporations from exercising the right of eminent domain over certain riparian and water rights and lands under or adjacent to any streams in this State, used for the purpose of developing water power; excepting from the provisions hereof cities and towns having a population of 25,000 or over; repealing all laws in conflict herewith and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and was passed to engrossment.

S. B. No. 391 on Third Reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 391 was put upon its third reading and final passage by the following vote:

Yeas—29.

Baugh.	Holbrook.
Bledsoe.	Lewis.
Bowers.	McMillin.
Burkett.	Murphy.
Clark.	Parr.
Cousins.	Pollard.
Darwin.	Rice.
Davis.	Ridgeway.
Doyle.	Strong.
Dudley.	Stuart.
Fairchild.	Thomas.
Floyd.	Turner.

Watts.	Wood.
Wirtz.	Woods.
Witt.	

Absent—Excused.

Bailey.

Rogers.

The Chair then laid S. B. No. 391 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 240 on Passage to Third Reading.

Senator Fairchild called up S. B. No. 240, relating to enforcement of prohibition laws, which was read the second time on February 15, and on February 20 was laid on the table subject to call.

The Chair laid the bill before the Senate, with amendment striking out the enacting clause pending.

Senator Davis offered the following corrective amendments to the bill:

(1)

Amend S. B. No. 240, page 1, line 17, by striking out the words and figures "Article 588¼qq" and striking out the following in lines 18 and 19, page 1, to-wit: "Chapter 24a (6a)" Title Eleven (11) of the Penal Code of the Revised Criminal Code of the State of Texas," and insert in lieu of this latter clause the following: "Acts 1919, Second Called Session, Chapter 78, of Thirty-sixth Legislature."

(2)

Amend S. B. No. 240 by striking out all of lines 15 and 16, page 1, and insert in lieu thereof the following:

"Section 1. That Section 36, Acts 1919, Second Called Session, Chapter 78, Thirty-sixth Legislature, be so amended as to hereafter read as follows:"

(3)

Amend caption to S. B. No. 240 as amended by striking out all before the enacting clause and insert in lieu thereof for caption the following:

"A bill to be entitled An Act to amend Section 36, Acts 1919, Chapter 78, Second Called Session of the Thirty-sixth Legislature, so as to provide adequate and proper punishment for the violation of said chapter, same being the Statewide Intoxicating Liquor Prohibition Law, and declaring an emergency."

The amendments were adopted severally.

(Lieutenant Governor Davidson in the Chair.)

Senator Floyd offered the following amendment to the bill:

Amend S. B. No. 240, page 1, line 23, by striking out the words "twenty-five dollars" and insert in lieu thereof the words "one hundred dollars," and by striking out the words "two hundred dollars" and insert in lieu thereof the words "five hundred dollars."

The amendment was adopted.

Question then recurred on the amendment striking out the enacting clause of the bill:

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—11.

Baugh.	Stuart.
Bledsoe.	Thomas.
Bowers.	Turner.
Lewis.	Wood.
Pollard.	Woods.
Ridgeway.	

Nays—17.

Clark.	McMillin.
Cousins.	Murphy.
Darwin.	Parr.
Davis.	Rice.
Doyle.	Strong.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Burkett (present), who would vote yea; with Senator Bailey (absent), who would vote nay.

Senator Fairchild offered the following amendment to the bill:

Amend S. B. No. 240, page 1, line 23, after the word "dollar" and before the word "by," by striking out the word "or" and inserting the word "and."

Senator Darwin offered the following substitute for the amendment:

Amend S. B. No. 240, page 1, line 23, by striking out the word "and," and by striking out the word "less," and by adding after the word "months," in line 25, the following: "nor more than six months."

The substitute was adopted and the amendment as substituted was adopted.

Question: Shall S. B. No. 240 be passed to engrossment?

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

Yeas—15.

Clark.	McMillin.
Cousins.	Murphy.
Darwin.	Parr.
Davis.	Rice.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Holbrook.	

Nays—13.

Baugh.	Strong.
Bledsoe.	Stuart.
Bowers.	Thomas.
Floyd.	Turner.
Lewis.	Wood.
Pollard.	Woods.
Ridgeway.	

Absent—Excused.

Rogers.

(Pair Recorded.)

Senator Burkett (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

S. B. No. 81 on Engrossment.

Senator Woods called up S. B. No. 81, relating to special venire in capital cases, which was read the second time on January 21, and laid on the table subject to call.

The Chair laid the bill before the Senate.

Senator Woods offered the following amendments to the bill:

(1).

Amend S. B. No. 81 by striking out the figures "659" line 11, page 1, of the bill and insert in lieu thereof the figures "657."

(2).

Strike out the semicolon on line 10, page 2, of the bill, insert period and strike out remainder of line 10, and all of lines 11, 12 and 13, page 2 of the bill.

The amendments were adopted.

Senator Woods offered the following amendment to the bill:

Amend S. B. No. 81 as follows:

Strike out the words "five days" where they appear in line 19, page 1 and in line 3, page 2, and the words

"and not thereafter" in line 4, page 3, and the words following same down to and including the word "article" on line 7, page 3.

The amendment was adopted.

On motion of Senator Wood, the bill was laid on the table subject to call.

S. B. No. 396 on Second Reading.

On motion of Senator Parr, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order.

S. B. No. 396, A bill to be entitled "An Act to validate all sales of public school land sold to the highest bidder on January 20, 1908, and now situated in Kleberg, Kenedy and Brooks counties, which are in good standing as to interest payments on the records of the General Land Office, authorizing patents to be issued when finally paid for and declaring an emergency."

The bill was read second time.

Senator Bledsoe offered the following amendments to the bill:

(1).

Amend S. B. No. 396, Section 1, by inserting in line 3, between the words "counties, and" the following: "and that were awarded by the Commissioner of the General Land Office on July 30, 1904, in Castro County."

(2).

Amend the caption of S. B. No. 396 by inserting between the words "counties, which" the following: "and awarded by the Commissioner of the General Land Office in Castro County on July 30, 1904."

The amendments were adopted.

S. B. No. 396 was passed to engrossment.

S. B. No. 396 on Third Reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days in each house was suspended, and S. B. No. 396 was put upon its third reading and final passage by the following vote:

Yeas—29.

Baugh.	Cousins.
Bledsoe.	Darwin.
Bowers.	Davis.
Burkett.	Doyle.
Clark.	Dudley.

Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Thomas.
Lewis.	Turner.
McMillin.	Watts.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Rice.	Woods.
Ridgeway.	

Absent—Excused.

Bailey. Rogers.

The Chair then laid S. B. No. 396 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. C. R. No. 19.

By Senator McMillin:

S. C. R. No. 19.

Whereas, There is a great overflow of students at the North Texas State Normal College at Denton that may be turned away and that can not be handled at said institution; and

Whereas, Some provision must be made whereby such students may be accommodated with conveniences; and

Whereas, The citizens of Decatur, Texas are willing to make donation of property to the State, said to be reasonably worth One Hundred and Fifty Thousand Dollars (\$150,000.00), to be used for a branch State Normal College, in the event that the State should see fit to establish such a branch college at Decatur, Texas, to take care of such overflow of students; and

Whereas, Representations have been made to the Legislature that in view of the offers that will be made the State will be able to establish an institution at Decatur at comparatively small cost, to take care of the above mentioned situation; and

Whereas, The citizens of Decatur, Texas, have offered to pay all expenses of a committee to be appointed to visit said town; now, therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Lieutenant Governor, as presiding officer of the Senate, appoint two Senators, and the Speaker of the House of Representa-

tives appoint three members of the House, said Senators and members of the House to constitute a joint committee to visit Decatur and make an investigation of the matters and things mentioned in the preamble hereof with the view of ascertaining the feasibility, as well as the wisdom and advisability of establishing such a branch normal college at Decatur in view of the willingness of the citizens to make such donations to the State, and such committee to make its report to the Legislature with its recommendation.

The resolution was read and adopted.

H. C. R. No. 23.

The Chair laid before the Senate, H. C. R. No. 23, as follows:

Whereas, The House of Representatives has heretofore extended an invitation to the Amateur Choral Club of Austin to entertain the members of the House and Senate Tuesday evening, February 27, 1923 which said invitation has been accepted by this Club; and

Whereas, The citizens of Austin are going to entertain the members of the Legislature with a barbecue and certain amusements during the afternoon and evening of February 27th; and,

Whereas, The Amateur Choral Club has consented to entertain the members of the House and Senate in the Senate Chamber on Tuesday evening, March 6, at 8:15 p. m.; now, therefore, be it

Resolved, By the House of Representatives, the Senate concurring that the members of this House and Senate assemble informally in the Senate Chamber for the purpose of being entertained by the Amateur Choral Club, and said Amateur Choral Club is granted the privilege of using the Senate Chamber some time between now and then when the Senate is not in session for the purpose of rehearsing for said entertainment.

The resolution was read and adopted.

H. C. R. No. 24.

The Chair laid before the Senate, H. C. R. No. 24.

Whereas, Sidney Smith, the famous cartoonist and creator of Andy Gump, is now making a tour of the United

States and has addressed joint sessions of the Oklahoma, Arkansas and Louisiana State Legislatures; and

Whereas, His characters, Andy Gump and Family, have become household personalities in America; and

Whereas, Mr. Smith will be in Austin, March the 5th. Therefore, be it

Resolved, By the House of Representatives, the Senate concurring, that Mr. Smith be invited to address the joint session of the House and Senate in the Hall of the House at 11 o'clock, Tuesday morning, March the 6th, and that he be invited to give a sketch portrayal of Andy Gump during his address.

The resolution was read and adopted.

S. B. No. 155 Set as Special Order.

On motion of Senator Ridgeway, by unanimous consent, S. B. No. 155 was set as special order for next Monday after the morning call.

Bills Signed.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 3.

H. B. No. 350.

H. B. No. 308.

Bills Read and Referred.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bills:

H. B. No. 93, referred to Committee on Finance.

H. C. R. No. 25, referred to Committee on Rules.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. C. R. No. 23. Relating to the concert by the Amateur Choral Club.

H. C. R. No. 24. Relating to an address by Sidney Smith, the famous cartoonist, before a joint session of the Senate and House, Tuesday morning, March 6th.

H. C. R. No. 25. Relating to sine die adjournment of the Legislature on March 10th at 10 p. m.

H. B. No. 93, A bill to be entitled "An Act to make appropriation to pay off that certain note executed by the Prison Commission to Bassett Blakely for the purchase of certain mules, and declaring an 'emergency.'"

C. L. PHINNEY,
Chief Clerk, House of Representatives.

Message From the Governor.

Mr. R. B. Walthall, secretary to the Governor, appeared at the bar of the Senate, and being duly announced, presented the following message from the Governor, which was read to the Senate, as follows:

Governor's Office,
Austin, Texas, Feb. 28, 1923.
To the Texas State Senate:

Gentlemen: I ask the advice, consent, and confirmation of the Texas State Senate of the following appointments:

W. A. Nabors, Winnsboro, Railroad Commissioner, to fill the unexpired term of Allison Mayfield, deceased.

W. M. W. Splawn, Austin, Texas, Railroad Commissioner, to fill the unexpired term of Earle B. Mayfield, resigned, effective March 1st, 1923.

PAT M. NEFF, Governor.

Adjournment.

Senator Murphy moved that the Senate recess until 7:30 p. m. today.

Senator Clark moved that the Senate adjourn until 10 a. m. tomorrow, and the motion was lost.

Senator Dudley moved that the Senate adjourn until 9 a. m. tomorrow, and the motion was lost.

Senator Clark moved that the Senate adjourn until 9:30 a. m. tomorrow, and the motion was lost.

Senator Stuart moved that the Senate adjourn until 7:30 p. m. today, and the motion was lost.

On motion of Senator Clark, the Senate at 6:05 p. m. adjourned until 9:45 o'clock a. m. tomorrow.

APPENDIX.

Committee Reports.

Senate Chamber,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 268 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 40 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 63 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 198 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 391 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 20:

"Providing for revenue for the support of the public schools; providing for the levying and collecting, in addition to the above ad valorem

State tax not to exceed thirty-five cents on the one hundred dollars valuation; providing for the State Board of Education to set aside a sufficient amount out of said tax to provide free textbooks; providing for an additional appropriation by the Legislature if the limit of taxation be insufficient; providing for the formation of school districts by the Commissioners' Courts of the several counties; and providing that school districts may embrace parts of two or more counties; providing further that the Legislature be authorized to pass laws for the assessment and collection of taxes in said districts; conferring the management and control of the public schools of such districts upon the Commissioners' Courts; providing for the Legislature to authorize an additional ad valorem tax within school districts for the maintenance of public schools, and the erection and equipment of school buildings therein; providing that a majority of the qualified property taxpaying voters of the district shall vote such tax not to exceed in one year one dollar on the one hundred dollar valuation on property subject to taxation, but this limitation shall not apply to incorporated cities or towns constituting separate and independent school districts."

Have had same under consideration, and I am instructed by the committee to return same to the Senate with a recommendation that it do pass.

WOODS, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 397, A bill to be entitled "An Act providing for the collection of delinquent taxes of levee improvement districts; providing a method of procedure therefor; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 400, A bill to be entitled "An Act making an emergency appropriation for the State Penitentiary System; providing that no part of same shall be used in or available for the payment of certain alleged notes alleged to have been executed by the Board of Prison Commissioners; and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass with committee amendment, and that it be not printed.

DUDLEY, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Education to whom was referred

S. B. No. 412, A bill to be entitled "An Act to amend Chapter Eighteen, Special Laws, Thirty-seventh Legislature, First Called Session, incorporating the Fruitvale Independent School District in Van Zandt County, Texas, providing for the maintenance of elementary schools in said district and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the bill be not printed.

CLARK, Chairman.

Committee Room,
Austin, Texas, Feb. 24, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 383, A bill to be entitled "An Act to reorganize the First and Ninth Judicial Districts of Texas, and to create the Ninety-fourth Judicial District of Texas, and to fix the time of holding court in each of said districts, and to provide for the retention in office of the Judge and District Attorney of the said First Judicial District, as Judge and District Attorney respectively of said district,

as organized, and to provide for the appointment of a Judge and District Attorney for said Ninety-Fourth Judicial District, and fix their compensation, and to provide for the retention in office of the present clerks of the District Courts of Orange, Jasper and Hardin Counties as clerks of the District Courts of said counties in the First Judicial District, as reorganized, and providing for the retention in office of the present clerks of the District Courts of Sabine and San Augustine and Newton Counties as Clerks of the District Courts of said counties in the said Ninety-Fourth Judicial District, created hereby, and providing that the District Court of the First Judicial District reorganized by this Act, and the District Courts of the Ninety-fourth Judicial District, created by this Act, and the judges thereof, shall have all the powers and jurisdiction that District Courts and the judges thereof, now have or may hereafter be conferred upon them, under the Constitution and other laws of the State of Texas, and providing for the time of holding the District Court in each of the Counties of Orange, Jasper and Hardin, composing said reorganized First Judicial District, and providing for the time of holding the District Court in each of the Counties of Sabine, San Augustine and Newton, composing the said Ninety-fourth Judicial District, and validating all process issued, juries drawn, or bail bond, or recognizances taken in the District Court of any of the counties composing the present First Judicial District, and repealing all laws or parts of laws in conflict herewith, and providing that this Act shall be and become effective on and after January 1, 1924, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

POLLARD, Chairman.

Committee Room,
Austin, Texas, Feb. 28, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 93, A bill to be entitled "An Act to make appropriation to pay off that certain note executed by the Prison Commission to Bassett

Blakely for the purchase of certain mules and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DUDLEY, Chairman.

THIRTY-SIXTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, March 1, 1923.

The Senate met at 9:45 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
Lewis.	Woods.
Floyd.	

Absent.

Wood.

Absent—Excused.

Rogers.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

Bills and Resolutions.

By Senator Strong:

S. B. No. 415, A bill to be entitled "An Act providing that each and every casualty insurance company now engaged, or that may hereafter engage in the transaction of the business of casualty insurance in this State, shall, as a condition of its right to transact such business in this State, invest and keep invested in Texas securities as 'Texas Securi-